

Staff Analysis Addendum I

**CALIFORNIA
ENERGY
COMMISSION**

EL SEGUNDO POWER REDEVELOPMENT PROJECT

**Dry Cooling Amendment (00-AFC-14C)
Los Angeles County**

STAFF ANALYSIS ADDENDUM I



**OCTOBER 2008
(00-AFC-14C)
CEC-700-2008-006-AD1**



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CALIFORNIA ENERGY COMMISSION

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**EL SEGUNDO POWER REDEVELOPMENT PROJECT
(00-AFC-14C)**

ADDENDUM I

October 2008

**Response To Comments On
The Staff Analysis Published June 12, 2008**

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INTRODUCTION

Prepared by: Steve Munro

The original project owner, El Segundo Power II, LLC (ESP II), filed a petition with the California Energy Commission dated June 15, 2007, to amend the Energy Commission Decision for the El Segundo Power Redevelopment Project (ESPRP) to change the project from once through ocean water cooling to dry cooling technology, among other significant changes in equipment and design. The project was originally certified by the Energy Commission on February 2, 2005, as a 630 megawatt combined-cycle electrical generating facility. A change of ownership was approved by the Energy Commission on August 13, 2008, and the new owner, El Segundo Energy Center, LLC (ESEC) continues to pursue the amendment petition. ESEC now has a power purchase agreement with Southern California Edison and intends to begin construction of the revised project as soon as feasible.

Energy Commission staff issued its Staff Analysis (SA) of the amendment petition on June 12, 2008 for a 30-day public comment period. On June 25, Energy Commission staff held a site visit and workshop regarding the amendment petition and the Staff Analysis. The workshop was held to accept comments from agencies and the public regarding the proposed changes to the original Commission Decision approving the project design and conditions of certification. Members of the public and agency representatives attended the site visit and workshop held at the city of El Segundo administrative offices where they asked questions and commented on the SA. The participants were urged to submit their comments in writing and several comment letters and e-mails were received, which documented public, agency, and owner concerns and also favorable comments on the proposed changes to the project.

To respond to the public, project owner, and agency comments, staff will issue two addenda to the SA. Both will be issued for public comment. This document, Addendum I, addresses all technical sections for which comments were received, except for air quality. For a number of reasons, comments regarding air quality impacts from the proposed project modifications will be addressed in a subsequent document, Addendum II, which will be issued as soon as possible after the South Coast Air Quality Management District (SCAQMD) issues its Final Document of Compliance (FDOC) for the proposed modified project. At this time, the probable schedule for SCAQMD to issue its FDOC is not known, primarily due to a legal ruling suspending the District's program for allocating Priority Reserve Credits (PRCs) for new sources of air emissions within its jurisdiction.

TECHNICAL AREAS WITH COMMENTS AND/OR MODIFICATIONS

Prepared by: Steve Munro

Addendum I addresses the technical areas, with the exception of air quality, in which comments were received and/or conditions of certification were modified, added, or deleted. These technical areas are shown in the following table, Table I:

TABLE 1

Section/Technical Area	SA Affected Page Numbers
Biological Resources	4.2-8
Hazardous Materials Management	4.4-2
Land Use	4.5-1 thru 4.5-5, 4.5-7, and 4.5-10
Noise and Vibration	4.6-2
Soil and Water Resources	4.8-2
Visual Resources	4.12-7
Air Quality	To be addressed in Addendum II

In each technical area, the comments and responses to comments will be addressed first, followed by the changes to the conditions of certification. The original SA changes are shown with additions underlined and deleted text with ~~strikethrough~~. The new revisions are shown in **bold with double-underlining** for added text, and ~~**bold with double-strikethrough**~~ for deleted text.

BIOLOGICAL RESOURCES

Original Prepared by: Marc Sazaki
Addendum I Prepared by: Rick York

Staff Assessment Page Number(s): 4.2-8

Section Heading: Amended And Proposed Conditions Of Certification

Comments:

Condition of Certification **BIO-1**

Scott Valor and Lia Protopapadakis of the Santa Monica Bay Restoration Commission (SMBRC) commented in a July 14, 2008 e-mail and letter that staff has deleted the requirement in condition **BIO-1** for the project owner's payment of the additional \$4 million for impact mitigation in light of their changed plans for dry cooling. They noted that staff also agrees that the \$1 million already paid out will not be required to be returned so long as it has been encumbered (100%) or spent (about 80% at this point). Mr. Valor and Ms. Protopapadakis requested written documentation that the \$1 million paid out will not be required to be returned.

Response to Comment:

Staff hereby documents that the commenters' understanding is correct that the SMBRC will not be required to return the \$1 million payment already tendered.

Condition of Certification **BIO-9**

The project owner has requested a change in Condition of Certification **BIO-9** for clarification purposes.

Response to Comments:

Staff agrees with project owner's requested change to **BIO-9** because it reflects the original intent of the author. The following is staff's revised Condition of Certification:

Modified Condition of Certification:

BIO-9 The project owner shall submit to the CPM for review and approval a copy of the final Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP) and, once approved, shall implement the measures identified in the plan. **The BRMIMP shall apply to beach delivery activities only.**

The BRMIMP shall include:

1. All new Biological Resource conditions included in the Energy Commission's Final Decision as amended;
2. All biological resources mitigation, monitoring, and compliance measures proposed and agreed to by the project owner;

3. A list and a map of locations of all sensitive biological resources to be impacted, avoided, or mitigated by project construction and operation;
4. A list of all terms and conditions set forth by USACE permits and necessary state LARWQCB certifications, should these become necessary throughout the life of the project;
5. Detailed descriptions of all measures that will be implemented to avoid and/or minimize impacts to sensitive species and reduce habitat disturbance;
6. All locations, on a map of suitable scale, of areas requiring temporary protection and avoidance during construction;
7. Duration for each type of monitoring and a description of monitoring methodologies and frequency;
8. Performance standards to be used to help decide if/when proposed mitigation is or is not successful;
9. All performance standards and remedial measures to be implemented if performance standards are not met;
10. A discussion of biological resource-related facility closure measures;
11. A process for proposing plan modifications to the CPM and appropriate agencies for review and approval;
12. A copy of any State or USFWS Biological Opinion or NMFS consultation, and incorporation of all terms and conditions into the final BRMIMP, should a biological opinion become necessary any time throughout the life of the project;
13. Protocols for dealing with wildlife that gain access the barges, beach delivery ramp, and other project features whereby their well being could be at risk; and
14. Vegetation restoration that provides for planting seacliff buckwheat (*Eriogonum parviflorum*), eradication of ice plant (*Carpobrotus chilensis*), and is coordinated with Visual Resources landscaping requirements.

Verification: At least 30 days prior to start of any site mobilization activities related to the beach front or the beach delivery system, the project owner shall provide the CPM with the final version of the BRMIMP for this project, and the CPM will determine the plans acceptability. The project owner shall notify the CPM five (5) working days before implementing any CPM approved modifications to the BRMIMP.

Within 30 days after completion of project construction, the project owner shall provide to the CPM for review and approval, a written report identifying which items of the BRMIMP have been completed, a summary of all modifications to mitigation measures made during the project's construction phase, and which mitigation and monitoring plan items are still outstanding.

HAZARDOUS MATERIALS MANAGEMENT

Prepared by: Dr. Alvin Greenburg

Staff Assessment Page Number(s): 4.4-2

Section Heading: Proposed Modifications to Conditions of Certification

Comment: Condition of Certification **HAZ-4**.

The project owner has requested deletion of Condition of Certification **HAZ-4** because the Rapid Response Combined Cycle technology does not require the use of hydrazine as an oxygen scavenger.

Response to Comment:

In the Staff Analysis issued on June 12, 2008, staff proposed no changes in the existing conditions of certification due to the proposed modifications. However, staff agrees with project owner's requested change because the equipment change eliminates the need for hydrazine, and therefore, condition **HAZ-4** should be deleted.

Modified/Deleted Conditions of Certification:

~~HYDRAZINE ALTERNATIVES FEASIBILITY STUDY~~

~~**HAZ-4** The project owner shall undertake a feasibility study for the substitution of the 35% hydrazine with a less hazardous chemical. Should the study conclude that substitution is infeasible and the project owner elects to continue the use of the 35% hydrazine, then the project owner shall develop and prepare a safety management plan focusing on the storage and handling of the hydrazine and the associated protective equipment requirements, handling techniques, personnel training, spill response procedures, detectors and alarms, as a minimum.~~

~~**Verification:** At least 45 days prior to start-up of Units 5, 6, and 7, the project owner shall furnish a final copy of either the feasibility study or the hydrazine storage and handling management plan, as appropriate, to the CPM, CESFD and CMBFD. All initial drafts shall be reviewed and commented upon by the CPM and CESFD. All final copies shall be approved by the CPM.~~

LAND USE

Prepared by: Mark Hamblin

Staff Assessment Page Number(s): 4.5-1 thru 4.5-5, 4.5-7, and 4.5-10

Section Headings: Introduction, Analysis, and Proposed Modifications to Conditions of Certification

Comments:

In Condition of Certification **LAND-10**, the project owner has requested insertion of the phrase, “during beach delivery activities” to clarify that the requirements not to prohibit public access and use of the bicycle trail are relevant only to the beach delivery option if that option is chosen.

In Condition of Certification **LAND-13** and the **LAND-13** Verification section, the project owner has requested insertion of the phrase, “or equivalent land use document,” to provide the opportunity for a document other than an executed lease with the California State Lands Commission be considered acceptable proof that the State Lands Commission has approved the use of the beach area to be used for the beach delivery of equipment if the beach option for equipment delivery is, in fact, selected.

Response to Comments:

Staff agrees with project owner’s requested changes, which are consistent with the original intent of the SA.

In addition to the condition modifications described above, staff has made editorial changes to the Land Use section, which are not in response to specific comments, but are editorial in nature. These revisions do not reflect any change in the substance of the analysis. Only paragraphs with changes are reproduced in this document.

EDITORIAL REVISIONS:

INTRODUCTION

The implementation of the beach delivery option would restrict public access and use of an approximate 300-foot wide by 300-foot long beach area west of the El Segundo Generating Station and would cause intermittent closure of the Marvin Braude Bikeway adjacent to the power plant. The bikeway is a Los Angeles County maintained Class 1 bicycle trail. The closure of the bikeway would conflict with **LAND-10** of ~~their~~ **certification the ESPRP Energy Commission Decision** issued in February 2005. The petition also includes the use of a new offsite construction laydown and parking area in the city of Los Angeles to replace the use of the Federal Express laydown/parking area in El Segundo that is identified in the license.

ANALYSIS

The project owner is considering a beach delivery option for new oversized equipment (e.g., steam turbine generators, heat recovery steam generators, air-cooled condensers). This option would close for public use an approximate two-acre area west of the El Segundo Generating Station property for an approximate six-month period (construction period). The two-acre area extends from the northwest corner of the El Segundo Generating Station property to the surf zone of Santa Monica Bay (**Land Use Figure 1 – Aerial Photo of Proposed Beach Delivery Path and Existing Bicycle Path**).

BEACH

During the beach delivery phase, beach users would not be able to use an approximate 300-foot by 300-foot (2 acres) beach area west of the El Segundo Generating Station between Dockweiler State Beach and Manhattan Beach (**Land Use Figure 3 – Beach Area West of the El Segundo Generating Station**). This beach area, owned by the project owner, is to be traversed by an approximate 250-foot long beach ramp made of geo-tech fiber, wood matting and sandbags with an access ramp extending over the bicycle trail into the El Segundo Generating Station. The access ramp would include closure gates across the bike path to prevent public access to the beach ramp during deliveries. Fencing for safety and security purposes would be installed around the beach delivery area (**Land Use Figure 4 – Conceptual Layout of Beach Delivery Area**). **The project's proposed ramp crossing the beach to move oversized equipment from barges docked in Santa Monica Bay to the project site may affect beach operations conducted by the LACDBH (Land Use Figure 5 – Beach Ramp Rendering).**

Staff has recommended Condition of Certification **LAND-12** which provides for the restoration of the beach area after project construction is completed.

Public use of both Dockweiler State Beach and Manhattan Beach would remain available. The majority of public beach activity occurs to the north and south of the El Segundo Generating Station. During high tide, the narrow stretch of beach south of the beach delivery area is inundated; preventing beach users from walking along the shoreline (**Land Use Figure 5 6 -View of Beach Area Next to El Segundo Generating Station at High and Low Tide**).

Los Angeles County Department of Beaches and Harbors (LACDBH) manages, operates, maintains, develops and promotes County-owned or operated beaches including Dockweiler State Beach and Manhattan Beach. The LACDBH provides beach maintenance (refuse removal, restroom cleaning, sand maintenance, grounds maintenance and facility repairs); facilities maintenance inspections; planning and implementation of capital and infrastructure improvement programs; concession, parking and special event use permit administration; and children's water awareness, training, education and recreation programs. ~~**The project's proposed ramp crossing the beach to move oversized equipment from barges docked in Santa Monica Bay to the project site may affect beach operations conducted by the LACDBH (Land Use Figure 6 Beach Ramp Rendering).**~~

In a letter dated October 16, 2007, received from t~~The Executive Director of the~~ California Coastal Commission, the Executive Director states that the project as proposed would end the environmentally destructive use of seawater from once-through cooling by using dry cooling technology which the Coastal Commission has strongly supported during past power plant reviews. The move away from once-through cooling removes what has been the single most contentious and environmentally damaging aspect of past coastal zone power plant proposals. The elimination of the once-through cooling also reduces the Coastal Commission's concerns about the type and scale of impacts associated with the project, and the ability of it to conform to Coastal Act provisions. Although the project has the potential to cause other types of adverse effects to coastal resources, the Executive Director noted in his letter that the Coastal Commission trust that Energy Commission staff will continue to thoroughly review coastal zone power plant projects as it has done in past Application For Certification proceedings incorporating Coastal Act conformity into the review (CCC2007). As a courtesy, on May 29, 2008 staff left a phone message and provided an email detailing the proposed beach delivery option to his counterpart at the California Coastal Commission.

Modified Conditions of Certification and Revised Figures 5 and 6:

LAND-10 The project owner shall not prohibit public access and use of the Los Angeles County maintained Class 1 bicycle trail known as the "Marvin Braude Bikeway" (bikeway) **during beach delivery activities** except as stipulated below for the project:

- A. Prior to the start of pre-construction activity involving the bikeway, the project owner shall contact the Los Angeles County Department of Public Works and provide for its review a schedule for bike trail closure and trail use interruption, the detour route, the location of delineators or barricades to channelize individuals past the work site, and the placement of public signage (e.g., construction warning signs).
- B. Prior to the first closure of the bikeway to perform necessary project pre-construction or construction activity, the project owner shall:
 - a. Provide the final schedule and timing of bike trail closures to the Department of Public Works Construction Division and Bikeway Coordinator, and CPM,
 - b. Provide a detour plan to the Department of Public Works Construction Division, Bikeway Coordinator and CPM showing a safe bicycle route around the project site for bicyclists.
 - c. Provide the Department of Public Works Construction Division and Bikeway Coordinator 30-calendar days to review and provide written comments to the project owner on a. and b. above.

- d. Provide to the CPM a copy of the transmittal letter submitted to the Department of Public Works Construction Division and Bikeway Coordinator requesting their review of the items identified in a. and b. above.
 - e. Provide to the CPM a copy of the Department of Public Works Construction Division and Bikeway Coordinator written comments on the items identified in a. and b. above for approval.
 - f. Notify the Bikeway Coordinator within 24-hours after any reopening of the bikeway.
- C. If the bikeway's existing width must be reduced in size to perform necessary project construction activity, the project owner shall provide the following:
- Eight (8) feet of bicycle trail width shall be maintained around the project site to the greatest extent possible. The project owner shall post construction signs warning "**CONSTRUCTION AHEAD**" and "**BIKEWAY NARROWS**" in advance of the project site on all approaches along with delineators and barricades for channelization.
- If a minimum of eight feet of paved bicycle trail cannot be provided, construction signs warning "**CONSTRUCTION AHEAD**" and "**WALK BIKE**" shall be posted in advance of the project site on all approaches. Where bicyclists are instructed to walk their bikes, flagmen shall be present at all approaches. Delineators or barricades shall also be placed to channelize pedestrians past the work site.
- Vertical clearance to obstructions across the clear width of the bicycle trail shall be a minimum of 8 feet.
- D. Required public signage shall be posted at least 14-calendar days prior to the start of pre-construction activity involving the bikeway. The Department of Public Works Construction Division and Bikeway Coordinator, and the CPM shall be notified that signage has been installed within 24-hours after posting.
- E. To the extent feasible, the project owner shall make the bicycle trail open to the public on weekends and holidays. The bicycle trail shall be completely free of obstructions including barricades, swept clean, and have a minimum of eight-feet of vertical clearance with a two-foot wide shoulder. If a two-foot wide shoulder cannot be maintained, the project owner shall provide warning signage.
- F. Within 48-hours after receiving a bicycle related trail complaint specific to the project's bikeway pre-construction and construction activities, the project owner shall provide the CPM with a complaint resolution form

report as specified in the Compliance General Conditions and a written explanation of the resolution to the complaint.

Verification: At least 30 days prior to start of pre-construction activity involving the bikeway, the project owner is to contact the Los Angeles County Department of Public Works Construction Division and Bikeway Coordinator.

The project owner is to provide to the CPM a copy of the transmittal letter submitted to the Department of Public Works Construction Division and the Bikeway Coordinator requesting their review.

The project owner is to provide to the CPM a copy of the written comments provided by the Department of Public Works Construction Division and the Bikeway Coordinator on the scheduled for bike trail closure and trail use interruption, the detour route, the installation of public signage and notification.

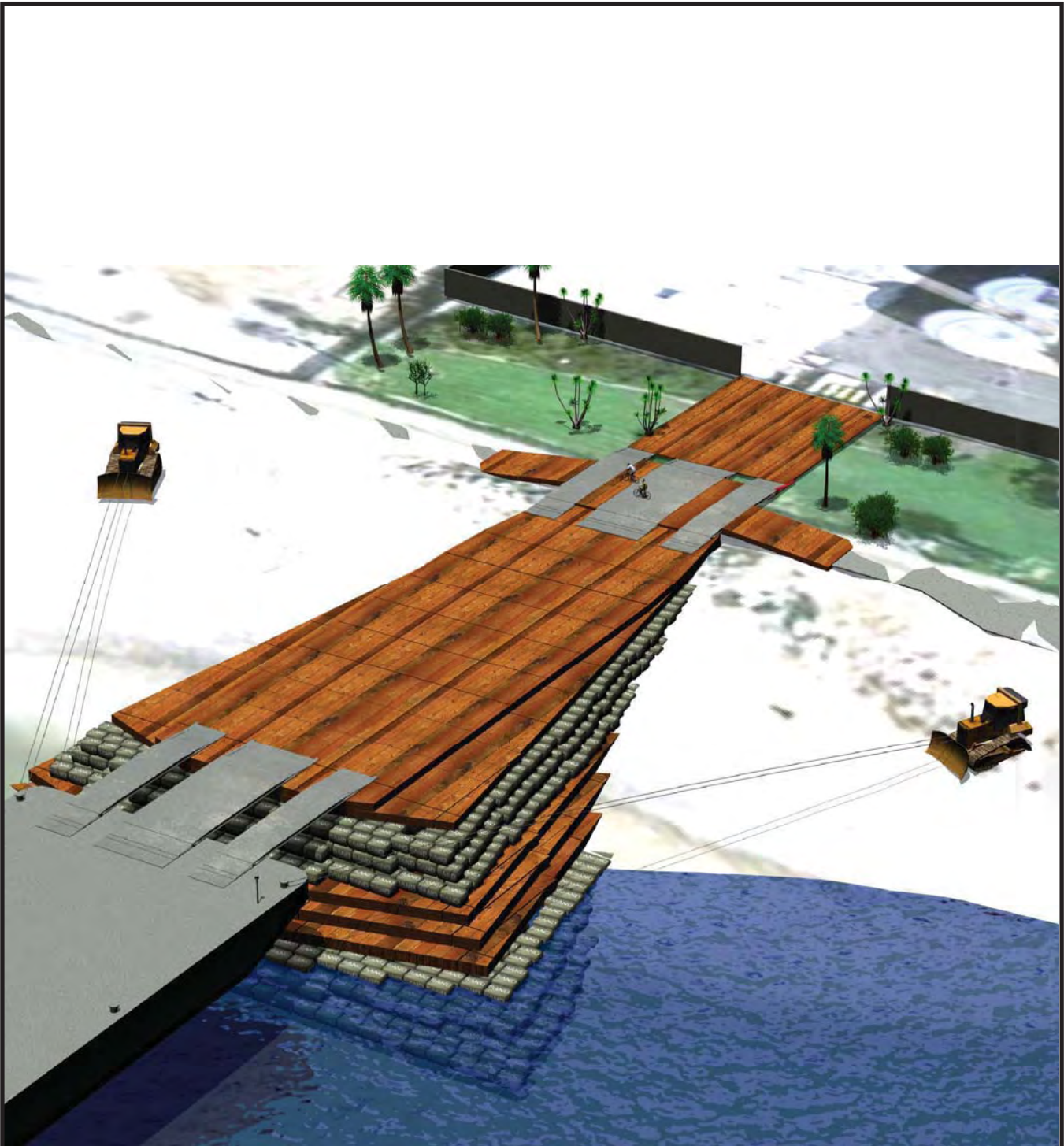
California State Lands Commission Lease

LAND-13 Prior to the start of the project's pre-construction activity on the beach, the project owner shall provide the CPM a copy of their executed lease **or equivalent land use document** with the California State Lands Commission permitting barge anchorage, and the storage and transfer of oversized power plant equipment (e.g., steam turbine generators, heat recovery steam generators, air-cooled condensers) to the project site.

Verification: At least 15 days prior to the start of pre-construction activity on the beach, the project owner is to provide the CPM a copy of their executed lease **or equivalent land use document** with the California State Lands Commission.

LAND USE - FIGURE 5

El Segundo Power Redevelopment Project - Beach Ramp Rendering



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SOURCE: El Segundo Power Redevelopment Project Amendment Petition - Figure 2.2-2

LAND USE - FIGURE 6

El Segundo Power Redevelopment Project - View of Beach Area Next to El Segundo Generating Station
At Low and High Tide

Low Tide



High Tide



CALIFORNIA ENERGY COMMISSION, ENERGY FACILITY SITING DIVISION, OCTOBER 2008

SOURCE: Staff photos

NOISE AND VIBRATION

Prepared by: Steve Baker

Staff Assessment Page Number(s): 4.6-2

Section Heading: Analysis

Comments:

Lia Protopapadakis of the Santa Monica Bay Restoration Commission in her letter dated July 14, 2008, requests that the Noise and Vibration analysis should discuss the proposed change to the project seawall, and whether it would result in greater noise impacts to joggers and bicyclists.

Response to Comments:

Staff changed the narrative in the proposed **NOISE AND VIBRATION** section to address the above-cited comment and clarify that the change to the seawall is not expected to cause any significant noise impacts to residents, joggers, or bicyclists. Only the paragraph with changes is cited below.

CLARIFICATION IN THE ANALYSIS LANGUAGE:

ANALYSIS

Seawall Relocation

The northern end of the seawall would be relocated approximately 25 feet to the west to accommodate the larger footprint of the Siemens power trains. This change could only affect joggers and bicyclists on the bike path; it is too far from sensitive receptors to cause any increase in detectable noise levels. Users of the path might be exposed to slightly higher noise levels, but any increase would be too small to notice. Since all noise LORS restricting noise emissions at the property line would be adhered to, and since users of the path are only in the vicinity of the power plant for a short duration as they pass by, this relocation would be unlikely to cause any significant adverse noise impacts.

SOIL AND WATER RESOURCES

Prepared by: Richard Latteri

Staff Assessment Page Number(s): 4.8-2

Section Heading: Analysis

Comment:

In the project owner's comments dated July 14, 2008, they have provided comments on staff's proposed modifications to Conditions of Certification **WATER QUALITY-7, -8, and -9**. Their comments are offered to provide clarifications associated with the City of El Segundo's Standard Urban Storm Water Mitigation Plan (SUSMP) and the review and approval process for National Pollutant Discharge Elimination System (NPDES) permits per Section 402(p) of the Clean Water Act.

Response to Comment:

Section 402(p) of the Clean Water Act establishes a framework for regulating municipal, industrial, and construction storm water discharges under the NPDES program. The State Water Resources Control Board (SWRCB) processes NPDES applications under general statewide permits for storm water discharges associated with construction and industrial activities. The nine Regional Water Quality Control Boards require permittees under the general permits to develop storm water pollution prevention plans (SWPPP) and other regional storm water quality management programs to achieve water quality standards. Conditions of Certification **WATER QUALITY-7 and -9** require compliance with the permitting and reporting process under Section 402(p) for the construction and operation of the ESPRP.

Comment:

The project owner proposes to add specificity to **WATER QUALITY-7, -8, and -9** by referring to the City of El Segundo's SUSMP ordinance and the SWRCB's Water Quality Order 99-08-DWQ. For **WATER QUALITY-7 and -9**, they also propose that the CPM have review and approval authority for compliance with these state and regional NPDES permits.

Response to Comment:

Staff agrees with the project owner's proposal to add the reference to SWRCB Water Quality Order 99-08-DWQ and the City's SUSMP ordinance to the conditions, but does not agree with the project owner's request for CPM review and approval authority for compliance with the provisions of the NPDES permits for **WATER QUALITY-7 and 9**.

Under the provisions of Water Quality Order 99-08-DWQ, the Los Angeles Regional Water Quality Control Board (LARWQCB) adopted NPDES Permit No. CAS004001 (municipal permit) for municipal storm water and urban runoff discharges within the County of Los Angeles. The City of El Segundo (City) is a permittee under this municipal permit and is responsible for implementing a storm water quality management

program (SQMP). A specific requirement of the City's SQMP is the SUSMP and its specific requirements for reducing pollutants in storm water and urban runoff. Because the City is responsible for implementing and enforcing the requirements of the municipal permit, the City retains the authority for review and approval of the NPDES permits specified in **WATER QUALITY-7 and -9**.

Staff has revised **WATER QUALITY-7, -8, and -9** to add the references to the City of El Segundo's SUSMP ordinance and the SWRCB's Water Quality Order 99-08-DWQ. Staff has included additional revisions to **WATER QUALITY-9** that are specific to the ESPRP as a proposed amendment. Staff has not included all of ESP II's requested changes because **WATER QUALITY-7, -8, and -9** are standard conditions that apply to all power plant applications and amendments. In order to be consistent with past assessments, staff has included only those project specific revisions requested by ESP II that are not encompassed in the generic language of the standard condition.

Modified Conditions of Certification:

WATER QUALITY-7: The project owner shall comply with the requirements of the State Water Resources Control Board's (SWRCB) National Pollutant Discharge Elimination System (NPDES) Permit for Storm Water Discharges Associated with Construction Activity (**Water Quality Order 99-08-DWQ**). The project owner shall develop and implement a Storm Water Pollution Prevention Plan (Construction SWPPP) for the construction of the ESPRP site, laydown areas including El Segundo Beach, and all linear facilities. The Construction SWPPP shall be reviewed and approved by the City of El Segundo (City) and shall be in compliance with the City's ~~of El Segundo's (City)~~ Standard Urban Stormwater Mitigation Plan (SUSMP) per the requirements of the Los Angeles Regional Water Quality Control Board (LARWQCB) NPDES Permit No. CAS0004001 **and the City's Ordinance No. 1348 and Chapter 7 of Title 5 of the municipal code.**

Verification: Prior to site mobilization, demolition, and/or construction related ground disturbing activities, including those activities associated with the beach delivery and linear facilities, the project owner shall submit to the CPM a copy of the Construction SWPPP that includes the requirements of the City's SUSMP ~~prior to site mobilization, demolition, and/or construction related ground disturbing activities~~ and retain a copy on-site. The project owner shall submit copies to the CPM of all correspondence between the project owner and the City, **the LARWQCB, and the SWRCB regarding** about the City's SUSMP and the Construction SWPPP within 10 days of its receipt or submittal. This information shall include copies of the Notice of Intent and Notice of Termination for the project.

WATER QUALITY-8: Prior to ~~mobilization or demolition~~ **soil disturbing** activities, the project owner shall obtain CPM approval for a site-specific Drainage, Erosion, and Sediment Control Plan (DESCP) that addresses all project elements including those activities related to delivery of equipment from the beach. **The DESCP shall be revised to address specific soil disturbing**

and soil stabilizing activities associated with pre-construction, construction, and post-construction of the ESPRP.

The DESCOP shall be consistent with the grading and drainage plan as required by condition of certification CIVIL-1 and may incorporate by reference any Storm Water Pollution Prevention Plan (SWPPP) developed in conjunction with state or municipal NPDES permits. The DESCOP shall contain elements A through I below:

- A. Vicinity Map – Map(s) at a minimum scale 1"=100' shall be provided indicating the location of all project elements with depictions of all significant geographic features including swales, storm drains, and sensitive areas.
- B. Site Delineation – All areas subject to soil disturbance for the ESPRP (project site, lay down area, all linear facilities, landscaping areas, and any other project elements) shall be delineated showing boundary lines of all construction areas and the location of all existing and proposed structures, pipelines, roads, and drainage facilities.
- C. Watercourses and Critical Areas – The DESCOP shall show the location of all nearby watercourses including swales, storm drains, and drainage ditches. The DESCOP shall indicate the proximity of those features to the ESPRP construction, lay down, and landscape areas and all transmission and pipeline construction corridors.
- D. Drainage Map – The DESCOP shall provide topographic site map(s) at a minimum scale 1"=100' showing all existing, interim, and proposed drainage systems and drainage area boundaries. On the map, spot elevations and contours shall be extended off-site for a minimum distance of 100 feet.
- E. Drainage Narrative – The DESCOP shall include a narrative of the drainage measures to be taken to protect the site and downstream facilities. ~~The narrative should and~~ include the summary pages from the hydrologic analysis prepared by a professional engineer/erosion control specialist. The narrative shall state the watershed size(s) in acres used in the calculation of drainage control measures and text included that justifies their selection. The hydrologic analysis should be used to support the selection of Best Management Practices (BMPs) and structural controls to divert off-site and on-site drainage around or through the ESPRP construction and laydown areas.
- F. Clearing and Grading Plans – The DESCOP shall provide a delineation of all areas to be cleared of vegetation and areas to be preserved. The plan shall provide elevations, slopes, locations, and extent of all proposed grading as shown by contours, cross sections or other means. The locations of any disposal areas, fills, or other special features will also be shown. Illustrate

existing and proposed topography tying in proposed contours with existing topography.

- G. Clearing and Grading Narrative** – The DESC shall include a table with the quantities of material excavated or filled for the site and all project elements of the ESPRP (project site, lay down areas, transmission corridors, and pipeline corridors) to include those materials removed from the site due to demolition, whether such excavations or fill is temporary or permanent, and the amount of such material to be imported or exported. The table shall distinguish whether such excavations or fill is temporary or permanent and the amount of material to be imported or exported.
- H. Best Management Practices** – The DESC shall identify on a Water Pollution Control Drawing(s) (WPCD) the location of the site specific BMPs to be employed during each phase of construction (initial grading/demolition, excavation and construction, and final grading/stabilization). Treatment control BMPs used during construction should enable testing of stormwater runoff prior to discharge to the stormwater system. BMPs shall include measures designed to prevent wind and water erosion in areas with existing soil contamination.
- I. Best Management Practices Narrative** – The DESC shall show the location (as identified on the WPCD), timing, and maintenance schedule of all erosion and sediment control BMPs to be used prior to ~~initial grading/demolition, during project excavation and construction, and final grading/stabilization~~ (accomplished by the submittal of DESC revisions). Text with supporting calculation shall be included for each project specific BMP. Separate BMP implementation schedules shall be provided for each project element.

Verification: No later than 90 days prior to ~~site mobilization or demolition activities~~ **the start of grading or excavation activities associated with any element of the ESPRP**, the project owner shall submit a copy of the DESC ~~for the initial grading/demolition phase of construction~~ to the City of El Segundo (City) for review and comment. No later than 60 days prior to ~~site mobilization or demolition activities~~ **the start of grading or excavation activities associated with any element of the ESPRP**, the project owner shall submit the DESC and the City's comments to the CPM for review and approval. The CPM shall consider comments received from the City on the DESC before issuing approval.

The DESC shall be revised and a revision submitted to the CPM for project excavation/construction and final grading/stabilization prior to the soil disturbing activities associated with these stages of construction. The DESC shall be consistent with the grading and drainage plan as required by condition of certification CIVIL-1 and relevant portions of the DESC shall clearly show approval by the Chief Building Official. The DESC shall be consistent with the Stormwater Pollution Prevention Plan (SWPPP) developed in **accordance with the General Construction Permit (Water Quality Order 99-08-DWQ) conjunction with the City's municipal NPDES Permit No. CAS0004004** and ~~its~~ **the project's** Standard Urban Stormwater Mitigation Plan

developed in accordance with the LARWQCB NPDES Permit No. CAS0004001 and the City's Ordinance No. 1348 and Chapter 7 of Title 5 of the municipal code.

In the monthly compliance report, the project owner shall provide a narrative describing the effectiveness of the drainage, erosion and sediment control measures; the results of monitoring and maintenance activities, including any BMP inspection reports; and the dates of any dewatering activities.

WATER QUALITY-9: The project owner shall comply with the requirements of the Individual and/or General NPDES Permit for Storm Water Discharges Associated with Industrial Activity. The project owner shall develop and implement a Storm Water Pollution Prevention Plan (Industrial SWPPP) for the operation of the ESPRP. The Industrial SWPPP shall be reviewed and approved by the City of El Segundo (City) and shall be in compliance with the City of El Segundo's (City) Standard Urban Stormwater Mitigation Plan (SUSMP) per the requirements of the Los Angeles Regional Water Quality Control Board (LARWQCB) NPDES Permit No. CAS0004001 and the City's Ordinance No. 1348 and Chapter 7 of Title 5 of the municipal code.

Verification: The project owner shall submit to the CPM a copy of the Industrial SWPPP that includes the requirements of the City's SUSMP prior to commercial operation and retain a copy on-site. The project owner shall submit to the CPM copies of all correspondence between the project owner and the City, the LARWQCB, and the SWRCB regarding about the City's SUSMP and the Individual and/or General NPDES Permit for Storm Water Discharges Associated with Industrial Activity within 10 days of its receipt or submittal. The Industrial SWPPP shall include a copy of the Notice of Intent for the project.

VISUAL RESOURCES

Prepared by: David Flores

Staff Assessment Page Number(s): 4.2-4

Section Heading: Proposed Modifications to Conditions of Certification

Comments:

Condition of Certification VIS-1:

Condition **VIS-1**. Lia Protopapadakis of the Santa Monica Bay Restoration Commission in her letter dated July 14, 2008, requests that seacliff buckwheat should be included in condition **VIS-1** as a favored species for the landscaping plan. She also requests that condition **VIS-1** include a requirement that, to help native plant species succeed where efforts are made to establish them, non-native and aggressive iceplant should be removed to prevent it from out-competing native dune vegetation due to its dense character and vigorous growth.

Response to Comments:

Staff concurs with the comment and has modified condition VIS-1 accordingly.

Modified/Deleted Conditions of Certification:

VIS-1 Facility Visual Enhancement Plan. Before starting construction, the project owner shall complete a comprehensive visual enhancement plan that includes ~~architectural screening~~, landscaping, painting, lighting, and other measures that result in an overall enhancement of views of the facility from areas accessible to the public. The plan shall be made available for review and comment by the Executive Director of the Coastal Commission and for review and approval by the Energy Commission. The plan shall include:

~~Architectural screening: All industrial equipment below elevation 125' (i.e., below the elevation of the outlet dampers on the facility's exhaust stacks) and visible from the beach, coastal waters, Vista Del Mar Avenue, and other areas accessible by the public shall be screened using panels, wire mesh, louvers or other forms of architectural screening. The screening shall be opaque or semi-transparent and have a non-glare finish, and the color shall be harmonious with the facility's setting on a public beach. If the project owner proposes, and the Energy Commission concurs, that it is infeasible to shield portions of the facility using architectural screening, the project owner may instead propose other measures such as landscaping, berms, or fencing to provide the necessary screening. Any such proposal must be based on the definition of feasibility in Coastal Act section 30108 and is subject to review and comment by the Executive Director of the Coastal Commission, and review and approval by the Energy Commission.~~

Landscaping: Where used to screen the facility, vegetation shall be selected and maintained to provide year-round screening (e.g., evergreen species). Preference shall be given to native species and/or species requiring little or no irrigation (e.g., seacliff buckwheat), or at a minimum, non-invasive species. **To help native plant species succeed where efforts are made to establish them, non-native and aggressive ice plant should be removed to prevent it from out competing native dune vegetation due to its dense character and vigorous growth.** Soils shall be tested, amended as needed or replaced to ensure plant survival.

Other structural screening: Where berms, fencing, or other structural elements are selected as the primary method to screen the facility, the structures shall harmonize with the facility's setting on a public beach. If berms are used, they shall be vegetated and maintained with evergreen, native, and/or species requiring little or no irrigation. If fencing is used, it shall include a non-glare finish and be painted in a neutral color.

The Facility Visual Enhancement Plan shall include photographs showing existing conditions and simulated post-construction conditions from Key Observation Points (KOPs) around the facility (these may be the same KOPs that were used to develop the Staff Assessment). The plan shall also include anticipated costs for completing and maintaining the various visual enhancement measures and a detailed schedule for completing construction of these components.

Seawall Design Plan: Before starting construction, the project owner shall complete a plan of the seawall design for review and comment by the Executive Director of the Coastal Commission, the City of Manhattan Beach, and the City of El Segundo, and review and approval by the CPM. This plan shall include:

Final design: The seawall along the west side of the facility shall be textured and finished in a neutral color harmonious with its location adjacent to a public bike path and beach. If painted, graffiti-resistant paint shall be used.

Landscaping: Where used to enhance the seawall design, vegetation chosen shall be selected or maintained to provide year-round screening (e.g., evergreen species). Preference shall be given to native species and/or species requiring little or no irrigation.

This seawall design plan shall include photographs showing the existing conditions and simulated post-construction conditions from observation points along the bike path adjacent to the seawall, from the beach, and from other points where the seawall is highly visible. The plan shall also include anticipated costs for completing and maintaining the seawall and a schedule for construction.

Verification: At least 120 days prior to ground disturbance, the project owner shall submit the required Facility Visual Enhancement Plan and Seawall Design Plan to the Executive Director of the Coastal Commission and the Cities of Manhattan Beach and

El Segundo for comment, and to the CPM for review and approval. If the CPM notifies the project owner that revisions of the submittal are needed before the CPM will approve the submittal, the project owner shall prepare and submit to the Coastal Commission staff, the Cities, and CPM a revised submittal.

GENERAL COMMENTS

Not Directed Towards A Specific Technical Area

Comments:

Both Lia Protopapadakis of the Santa Monica Bay Restoration Commission and Sarah Abramson of the Heal the Bay organization commented that they supported the project owner's decision to redesign the project not to use the environmentally harmful once-through ocean water cooling process.

Peter Douglas, Director of the California Coastal Commission commented in an October 16, 2007 letter to the Energy Commission as follows: "This move away from once-through cooling removes what has been the single most contentious and environmentally damaging aspect of past project proposals. It also reduces the Coastal Commission's concerns about the type and scale of impacts associated with these proposed projects and about the ability of these projects to conform to Coastal Act provisions."

Response to Comments:

None required.

Comments:

A letter from Michelle Murphy and Bob Perkins received via e-mail on July 9, 2008 questioned whether the amendment process is the proper procedure to review a proposal to change the original project designed to an air cooled power plant with a different footprint, air pollution effect and generating equipment.

The same letter questioned whether the proposed project change from once-through ocean water cooling to an air cooled configuration would disqualify the project from being "coastal dependent."

Response:

Regarding the question of whether the amendment process is the proper procedure to consider the proposed changes to the project, the amendment process is the procedure prescribed in Public Resources Code Section 1769 to make changes to an existing project design and conditions of certification.

Regarding the "coastal dependent" question, the proposed change from once-through cooling using ocean water to an air-cooled system was advocated by the Coastal Commission in the application proceeding. The Coastal Commission, in urging an air-cooled configuration, sought to eliminate what it considered unacceptable biological impacts from continuing a once-through cooling system using ocean water. In determining the project's consistency with the Coastal Act, the Coastal Commission strongly recommended that the project eliminate once-through cooling to avoid

entrainment and impingement of biological resources. In making that recommendation, the Coastal Commission did not reject approval of the project as so changed. The Coastal Commission did not conclude that the change it advocated would serve to disqualify the project from remaining at the existing coastal site. The proposed amendment is fully consistent with the Coastal Commission's recommendation. Nothing from the Coastal Commission supports denial of the proposed change at the existing site.

Other issues raised in the letter from Ms. Murphy and Mr. Perkins were either not germane to the specific project changes requested by the project owner, or they were air quality-related and will be covered when Addendum II is published addressing all air quality-related comments and issues.

Comments:

Comments from Lisa Lapin submitted via e-mail on July 3, 2008, were primarily related to air quality issues, which will be addressed in Addendum II. However, she had a general comment regarding noticing of the Energy Commission staff workshop on June 25, 2008. She stated that she objects that the notice was not sent to all residents within a six-mile radius of ESPRP.

Response:

The workshop notice and the Staff Analysis were sent to notice all individuals and agencies on the post-certification mailing list as specified in Public Resources Code Section 1769. They were also published on the Energy Commission's website. There is no legal requirement to send them to all residents within a six-mile radius of the project.

APPENDIX

**Copies of public, project owner, and agency, comment letters
and e-mails**